

act authorizing the Comptroller of the State to receive from railroad companies the interest due on their bonds was taken up and adopted and bill passed to 3rd reading. Rule suspended. Read 3rd time and passed.

The Senate then adjourned until 8 o'clock A.M. tomorrow.

Friday, May 27, 1864

8 o'clock A.M.

Senate met. Prayer by the Chaplain. Roll called, quorum present. The Journal of yesterday was read and adopted.

The Committee on State Affairs through Mr. Kinsey recommended the passage of a bill to prohibit the sale of ardent spirits within the town of Waxahachie. The same committee through Mr. Davis reported a bill for the relief of the indigent families of Calhoun County and recommended the adoption of the following amendments:

To the Honorable F. S. Stockdale, President of the Senate:

The Committee on State Affairs, to whom was referred a bill to be entitled an act for the relief of the indigent families of Calhoun County, with instructions to inquire into the expediency of extending the provisions of said act to other counties, respectfully submit that they have duly considered the subject, and find the counties of Refugio, San Patricio, and Nueces equally entitled to the relief asked in the bill for the county of Calhoun, as granted by former legislation to the county of Galveston. They therefore report the bill back to the Senate, with the following amendments and recommend its adoption.

1st. That the word "county" be stricken out of the title of the bill and "Refugio, San Patricio, and Nueces counties" be added.

2nd. That the word "county," where it occurs in the latter part of the 1st section of the bill, be also struck out, and "Refugio, San Patricio, and Nueces counties" be added.

Davis

One of the Committee

Mr. Cooley introduced a bill for the relief of Lt. W. H. Cochran, A.A.C.S. Mounted Regiment, Texas State Troops. Read 1st and 2nd times and referred to Committee on State Affairs.

Joint resolution of thanks to Messrs. Bell, Hutchings and Company. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

A bill to transfer State Troops to Confederate Service. Read 3rd time and referred to Committee on Military Affairs.

Mr. Hord, Chairman of Committee on State Affairs, recommended the passage of the following bills:

A bill to punish the unlawful introduction, pasturage, and running at large of stock.

A bill to amend an act to provide for the support of soldiers' families.

The following bills with amendments:

Bill to incorporate the West Texas Manufacturing Company—add to 1st section, "provided the Company shall not hold more real estate than what shall be necessary to the carrying on of its proper business." Strike out 6th section. Bill to incorporate Star State Machine Manufacturing Company. Strike out "90" and insert "20."

A bill to amend Article 965 of the Code of Criminal Procedure. Read 2nd time. Report of Judiciary Committee recommending indefinite postponement adopted.

A bill supplemental to and amendatory of an act to establish a penal code. Read 2nd time and passed to 3rd reading.

A bill to set apart the proceeds of land scrip sold by the Commissioner of the General Land Office for the benefit of citizens of the state who shall have served in the Army of the Confederate States or of the State during the present war and who shall have received an honorable discharge, with report of select committee of one (Mr. Hartley). Read 2nd time and recommended. Adopted.

Mr. Harcourt moved to indefinitely postpone.

Yeas—Messrs. Burney, Ford, Guinn, Harcourt, Jordan, Moore of Bastrop, Throckmorton, Wootten, and White—9.

Nays—Messrs. Beasley, Charlton, Davis, Dickson, Hartley, Haskell, Hord, Jowers, Kinsey, Knox, Magoffin, Montague, Parsons, Peck, Quayle, Selman, and Weatherford—17.

The yeas and nays were then called on the engrossment of the bill and stood thus:

Yeas—Messrs. Beasley, Charlton, Davis, Durant, Hart-

ley, Haskell, Jowers, Kinsey, Magoffin, Montague, Quayle, Selman, and Weatherford—13.

Nays—Messrs. Dickson, Ford, Guinn, Harcourt, Hord, Jordan, Knox, Moore of Bastrop, Parsons, Peck, Throckmorton, Wootten, and White—13.

Mr. Guinn in the chair, the engrossment was lost.

Mr. Throckmorton, Chairman of Committee on Military Affairs, reported joint resolutions for relief of the Tonkawa Indians, which on motion were taken up. Read 1st time. Rule suspended. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

A bill to incorporate the Falls of Brazos Manufacturing Company. Read 2nd time. Amendments of Committee on State Affairs adopted and bill passed by constitutional majority, Messrs. Hartley, Throckmorton, and Weatherford voting nay.

A bill to incorporate the Star State Manufacturing Company was taken up. Read 2nd time and Committee's amendment adopted. Bill passed to 3rd reading. Rule suspended. Read 3rd time and passed by constitutional majority, Messrs. Knox, Peck, and Weatherford voting nay.

The Committee on Military Affairs reported a bill turning over to Confederate States the militia with amendment provided that nothing herein contained shall be so construed as to authorize the turning over to the Confederate military authorities any civil officer of the State or other person who is not subject to conscription under the laws of Congress. Adopted. Bill passed to 3rd reading. Rule suspended. Read 3rd time and passed.

The Committee of Free Conference, Mr. Lea, Chairman, made the following report:

To the Honorable F. S. Stockdale, President of the Senate and the Honorable M. D. K. Taylor, Speaker of the House of Representatives:

The Committee of the Two Houses for Free Conference on a House bill to be entitled an act to provide for the liquidation of claims against the State when there is a deficiency of funds in the Treasury, and the Senate's substitute therefor being a bill to be entitled an act to regulate the manner of liquidating claims for payment under appropriations made by the Legislature, and the disagreement between the two houses on the report of the former

committees for conference on these subjects, have considered in conference all the matter so submitted, and now report as follows.

Each Committee recommends the adoption of a substitute for the substitute of the Senate to the original bill of the House, and herewith submit a draft of the proposed substitutes, as part of this report.

Time forbids the Committees from making any remark; and they respectively submit this compromise to the consideration of each house.

Pryor Lea, Chairman
of the Senate's Committee

J. B. Reid, Chairman
of the House Committee

The Committee on Judiciary, Mr. Harcourt, Chairman, recommended the passage of a bill to punish unlawful interference with private property or private rights. Bill taken up. Read 2nd time and passed to 3rd reading.

A bill to prevent the sale of ardent spirits within five miles of Waxahachie was taken up. Read 2nd time and passed to 3rd reading. Rule suspended. Read 3rd time. The yeas and nays on its passage stood:

Yeas—Messrs. Beasley, Davis, Durant, Guinn, Hord, Jordan, Jowers, Kinsey, Lea, Montague, Parsons, Peck, Quayle, Selman, Throckmorton, Weatherford, and Wootten—17.

Nays—Messrs. Charlton, Cooley, Ford, Harcourt, Hartley, Haskell, Knox, Magoffin, and White—9.

A bill for relief of indigent families of Calhoun County taken up. Read 2nd time. Amendments of Committee on State Affairs adopted.

A message from House announced the passage of the following bills:

Joint resolution relative to the frontier with amendment, indefinitely postponed.

A bill making appropriation for mileage and per diem of members, etc.

A bill for relief of Lt. W. H. Cochran.

A Senate bill to authorize the appointment of an agent at Headquarters of Trans-Mississippi Department and District Headquarters, Texas, New Mexico, and Arizona.

Senate bill for relief of Robert Robson.

Senate bill making appropriation for stationery.

Senate bill supplementary to an act to provide for the protection of the frontier with amendments.

House bill to furnish the reporter of Supreme Court decisions with stationery. Read 1st time. Rule suspended. Read 2nd time. Rule suspended. Read 3rd time and passed.

A bill to incorporate Comal Springs Manufacturing Company.

A bill to authorize the purchase of additional machinery for the Texas Penitentiary.

The House have adopted Free Conference Committee report on a bill to supply the deficiency in State Treasury, and bill passed to 3rd reading. Rule suspended. Read 3rd time and passed.

[The Committee on Engrossed Bills reported as follows:]

The Committee on Engrossed Bills have examined a bill to be entitled an act to incorporate the San Marcos Manufacturing Company and also a joint resolution of thanks to the firm of Messrs. Ball, Hutchings and Company and find the same correctly engrossed.

A. N. Jordan

for the Committee

Mr. Hartley moved to reconsider the vote rejecting a bill to amend Article 965 of Code of Criminal Procedure. Lost.

The resolution relative to suspension of writ of habeas corpus was considered in Committee of the Whole, Mr. Jowers in the chair. After some time spent therein the Committee rose and reported a substitute for the resolutions and recommended its adoption and asked to be discharged. Substitute adopted. Mr. Lea moved to postpone consideration until 10 o'clock A.M. tomorrow. Carried.

A House bill for relief of Lt. W. H. Cochran was read 1st time and referred to Committee on State Affairs.

A bill to amend 3rd section of act to provide for support of soldiers' families was taken up, read 2nd time, and passed to 3rd reading. Rule suspended. Read 3rd time and passed.

The Committee on Printing reported recommending the passage of joint resolution relative to printing State and Confederate States constitutions with the laws, taken up. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

The Senate then adjourned until 3½ o'clock P.M.

3½ o'clock P.M.

Senate met, roll called, quorum present. The resolution to adjourn *sine die* was taken up. Read and postponed until tomorrow at 3 o'clock P.M.

Mr. Hord offered the following: *Resolved by the Senate*, That such members of the Senate who were unable to reach this place by the commencement of the present session, but who have been in attendance during the session, be entitled to draw their per diem from the commencement of the session. Adopted.

A bill supplementary to an act to provide for the protection of frontier, with House amendments, 1st amendment concurred in, 2nd amendment to strike out 4th section. The yeas and nays stood:

Yeas—Messrs. Beasley, Burney, Cooley, Davis, Durant, Harcourt, Hord, Jordan, Jowers, Knox, Magoffin, Moore of Bastrop, Montague, Quayle, Throckmorton, and Weatherford—16.

Nays—Messrs. Dickson, Ford, Guinn, Hartley, Kinsey, Parsons, Peck, Selman, and Wootten—9.

The report of Committee on Conference on the bill to supply deficiency in State Treasury was taken up, read and adopted by the following vote:

Yeas—Messrs. Cooley, Davis, Durant, Ford, Guinn, Haskell, Hord, Jordan, Jowers, Knox, Lea, Magoffin, Moore of Bastrop, Montague, Throckmorton, and Wootten—16.

Nays—Messrs. Beasley, Burney, Hartley, Parsons, Kinsey, Peck, Selman, Weatherford, and White—9.

A bill making an appropriation for mileage and per diem pay of 10th Legislature Extra Session. Read 2nd time and passed to 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Hord, Chairman of State Affairs, reported a bill for relief of Lt. W. H. Cochran and recommended its passage. Taken up. Read 2nd time and passed to 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Throckmorton for Finance Committee reported as follows:

President of the Senate:

The Committee on Finance have considered a bill to

provide for the support of the several asylums and herewith report a substitute for the same.

The Committee here left the Deaf and Dumb and Blind Asylums to depend upon the appropriations heretofore made.

The Committee have not the time to enter into the reasons why they present a substitute for the original bill, but if necessary will explain them when the bill is up for consideration.

J. W. Throckmorton

One of the Committee

Rule suspended. Bill taken up. Read 2nd time. Substitute adopted and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

Mr. Lea, Chairman of Finance Committee, made the following report:

To the Honorable F. S. Stockdale, President of the Senate:

The Committee on Finance, to which was referred a resolution that the Committee on Finance be directed to inquire into the propriety of passing an act making all bail bonds and recognizances payable in specie or state treasury warrants alone, and report by bill or otherwise, has considered the subject, and now reports as follows: The Committee is not prepared to recommend the proposed change of the law, especially as the officers taking bail bonds and recognizances may accommodate amounts in future to the existing and probable condition of the funds receivable under such obligations. With such views the Committee asks to be discharged from further consideration of the resolution, and recommend that it be laid on the table.

Pryor Lea, Chairman

Mr. Lea presented petition of the mayor of San Patricio. Referred to Committee on State Affairs.

A bill to incorporate the Comal Springs Manufacturing Company. Read 1st time. Rule suspended. Read 2nd time, amended and passed by constitutional majority, Messrs. Peck and Weatherford voting nay.

The Senate then adjourned until 8 o'clock A.M. tomorrow.